

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION

The United States of America,
ex rel. Alicia Strickland and
Paige Purcell,

Plaintiffs,

v.

Drayer Physical Therapy Institute, Chris Fisher,
Jeff Fromdahl, Brad Keisling, Melissa Zink
and Tyrone Delmonico,

Defendants.

CA No.: 9:13-cv-01781

ORDER

2016 JUN 30 P 5:05

U.S. DISTRICT COURT

**ORDER PARTIALLY LIFTING THE SEAL AND DISMISSING CLAIMS BROUGHT
ON BEHALF OF THE UNITED STATES AGAINST
DRAYER PHYSICAL THERAPY INSTITUTE**

The United States intervened in this action for settlement purposes against the defendant Drayer Physical Therapy Institute. The Government requested that the Relators' Complaint, the United States' Notice of Intervention, the United States' proposed Order Partially Lifting the Seal, and all subsequent filings, including this Order, be unsealed. The United States also requested that all other papers on file in this action to date remain under seal and explained in support of that request that in discussing the content and extent of the United States' investigation, such papers were provided by law to the Court alone for the sole purpose of evaluating whether the seal and time for making an election to intervene should be extended. The United States intervened in this action for settlement purposes against the defendant.

Further, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and the False Claims Act, 31 U.S.C. § 3730(b)(1), the United States, on behalf of the United States and the

relators filed a stipulation of dismissal as to all claims against the Defendant Drayer Physical Therapy Institute brought on behalf of the United States other than Relators' claim for reasonable expenses, attorneys' fees and costs under 31 U.S.C. § 3730(d).

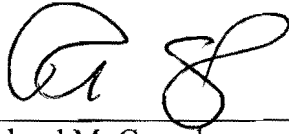
Upon due consideration of the Notice of Intervention and Stipulation and the papers on file in this action,

IT IS HEREBY ORDERED that:

1. The seal shall be lifted as to: the Relators' Complaint, the United States' Notice of Government Election to Intervene, the United States' proposed Order Partially Lifting the Seal, and this Order. All other previously filed contents of the Court's file in this action shall remain under seal and not be made public or served upon the Defendant;
2. The seal shall be lifted as to all matters occurring after the date of this Order;
3. The United States' claims against the Defendant Drayer Physical Therapy Institute described as Covered Conduct, pursuant to and consistent with the terms and conditions of their collective settlement agreements are dismissed with prejudice against the United States;
4. Subject to Relators' claim for reasonable expenses, attorneys' fees and costs under 31 U.S.C. § 3730(d), all claims brought by the Relators against Defendant Drayer Physical Therapy on behalf of the United States are dismissed with prejudice; and
5. All other claims brought by the Relators are not dismissed, which include claims against other defendants and their claims for costs, reasonable expenses and attorney fees.

IT IS SO ORDERED,

Dated: Jan 30, 2016



Richard M. Gergel
United States District Court Judge